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| EXAMINER |
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TRAN, TUYETLIEN T

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2179

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09/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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|------------------------------|--------------------------------------|------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/658,768        | Applicant(s)<br>EGAWA ET AL. |  |
|                              | Examiner<br>TuyetLien (Lien) T. Tran | Art Unit<br>2179             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to the following communication: Amendment filed 6/29/07.

**This action is made non-final.**

2. Claims 1, 2, 4-9 are pending in the case. Claims 1, and 4-9 are independent claims.

### **Continued Examination Under 37 CFR 1.114**

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/29/07 has been entered.

### **Specification**

4. Applicant's argument regarding the previous objection to the term "computer-storage medium" is persuasive; therefore the objection is withdrawn.

### **Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**6. Claims 1, 2, 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doty, JR. (Pub No US 2003/0152904 A1, hereinafter Doty).**

**As to claim 1, Doty teaches:**

A video browsing system (e.g., a network based educational system, see [009])

comprising:

a distribution server configured to store and distribute content including video data and slide data reproduced in synchronization with the video data (e.g., server 14 linked with system 10 in Fig. 1 or items 310-340 as shown in Fig. 22; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015], [0151]);

a browsing client configured to receive the content, to reproduce and display the video data on a screen thereof, and to synchronously display the slide data (e.g., see Fig. 15; note that the video and slide data are synchronously displayed on a user's browser window, see [0176]); and

a provider client belonging to a content provider and having a permission for editing of the content (e.g., see Fig. 6-9 and [0082]),

wherein the distribution server comprises a manage unit configured to manage a permission for browsing each of a plurality of content and the permission for editing of the content (e.g., see Figs. 5, 22 and [0129], [0133]),

the manage unit allows distributing of the content in accordance with an access of the browsing client of a user having the permission for browsing the content, and allows for editing of the content of at least one of the video data and the slide data in accordance with an access

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of the provider client (note that a student portal 18 allows a student to take classes while administrative portal 22 allows instructors and administrators to easily deploy, maintain and update courseware, see e.g., [0129], [0133] and Figs. 2, 5, 22),

Doty further teaches that the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

Doty does not expressly teach that the distribution server further comprises a storing unit configured to store notational data.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation because Doty suggests to the skill artisan that the classroom interface is typically adapted to provide synchronous application and a user information module configured to provide real time recording data (e.g., see [0143] lines 1-7), the browsing client comprising a notes feature that allows a user/learner to make notes as the material is being presented and they can review the notes at any time from the student portal (e.g., see item 96 shown in Fig. 15 and [0143]), and a course data is only visible to a user/group if it is assigned to the user/group (e.g., see [0129]). The motivation to implement this limitation is to synchronize the notational data with the course data and thus to provide streaming video synchronized with user interactive applications to enhance the total educational experience for a student/learner/user (e.g., see [0003]).

**As to claim 4, Doty teaches:**

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A distribution server (e.g., server 14 linked with system 10 in Fig. 1 or items 310-340 as shown in Fig. 22) comprising:

a distribution unit configured to distribute content including video data and slide data reproduced in synchronization with the video data (e.g., see Figs. 5, 22; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015]); and

a manage unit configured to manage a permission for browsing each of a plurality of content and a permission for editing of the content (e.g., see Figs. 5, 22 and [0129], [0133]),

wherein the manage unit allows distributing of the content in accordance with an access of the browsing client of a user having the permission for browsing the content, and allows for editing of the content of at least one of the video data and the slide data in accordance with an access of the provider client (note that a student portal 18 allows a student to take classes while administrative portal 22 allows instructors and administrators to easily deploy, maintain and update courseware, see e.g., [0129], [0133] and Figs. 2, 5, 22);

Doty further teaches that the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

Doty does not expressly teach a storing unit configured to store notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation for the same reasons as discussed with respect to claim 1 above.

**As to claim 5, Doty teaches:**

A manage client for managing a video browsing system (e.g., see Figs. 5, 18 and [0136]) including:

- a distribution server configured to store and distribute content including video data and slide data reproduced in synchronization with the video data (e.g., server 14 linked with system 10 in Fig. 1 or items 310-340 as shown in Fig. 22; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015], [0151]),

- a browsing client configured to receive the content, to reproduce and display the video data on a screen thereof, and to synchronously display the slide data (e.g., see Fig. 15; note that the video and slide data are synchronously displayed on a user's browser window, see [0176]);

- a provider client belonging to a content provider and having a permission for editing of the content (e.g., see Fig. 6-9 and [0082]), the manage client comprising:

  - a manage unit to configure a permission for browsing the content (e.g., see Figs. 5, 22 and [0129], [0133]),

    - wherein in accordance with an access of the browsing client of a user having the permission for browsing the content, allows to distribute the content (e.g., see item 18 shown in Fig. 2 and [0133]; note that a student portal 18 allows a student to take classes); and

    - to configure a permission for editing the content, wherein in accordance with an access of the provider client having the permission for editing the content, allows for editing the content of at least one of the video data and the slide data (note that administrative portal 22 allows instructors and administrators to easily deploy, maintain and update courseware, see e.g., [0129], [0133] and Figs. 2, 5, 22).

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Doty further teaches that the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

Doty does not expressly teach a storing unit configured to store notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation for the same reasons as discussed with respect to claim 1 above.

**As to claim 6, Doty teaches:**

A computer program stored on a computer-storage medium for controlling a distribution server, which distributes content including video data and slide data reproduced in synchronization with the video data to a browsing client that reproduces and displays the content on a screen (e.g., see Figs. 1, 15, 22 and [0203]; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015]) thereof, the computer program comprising:

means for managing a permission for browsing each of a plurality of content and a permission for editing the content (e.g., see Figs. 5, 22 and [0129], [0133]);

means for distributing the content in accordance with an access of the browsing client of a user having the permission for browsing the content (e.g., items 18, 20 in Fig. 2 and see Fig. 15); and



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means for allowing for editing of the content of at least one of the video data and the slide data in accordance with an access of the user having the permission for editing the content (note that a student portal 18 allows a student to take classes while administrative portal 22 allows instructors and administrators to easily deploy, maintain and update courseware, see e.g., [0129], [0133] and Figs. 2, 5, 22);

Doty further teaches that the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

Doty does not expressly teach means for storing notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation for the same reasons as discussed with respect to claim 1 above.

**As to claim 7, Doty teaches:**

A computer program stored on a computer-storage medium for controlling a manage client, which manages a video browsing system (e.g., see Fig. 15 and [0203]) including:

a distribution server configured to store and distribute content including video data and slide data reproduced in synchronization with the video data (e.g., server 14 linked with system 10 in Fig. 1 or items 310-340 as shown in Fig. 22; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015], [0151]);

a browsing client configured to receive the content, to reproduce and display the video data on a screen thereof, and to synchronously display the slide data (e.g., see Fig. 15; note

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that the video and slide data are synchronously displayed on a user's browser window, see [0176]); and

a provider client belonging to a content provider and having a permission for editing of the content (e.g., see Fig. 6-9 and [0082]), the program comprising:

means for configuring a permission for browsing (e.g., see Figs. 5, 22 and [0129], [0133]),

wherein in accordance with an access of the browsing client of a user having the permission for browsing the content, allows to distribute the content (e.g., see item 18 shown in Fig. 2 and [0133]; note that a student portal 18 allows a student to take classes); and

for configuring the permission for editing of the content, wherein in accordance with an access of the provider having the permission for editing the content, allows for editing the content of at least one of the video data and the slide data (note that administrative portal 22 allows instructors and administrators to easily deploy, maintain and update courseware, see e.g., [0129], [0133] and Figs. 2, 5, 22);

Doty further teaches that the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

Doty does not expressly teach means for storing notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation for the same reasons as discussed with respect to claim 1 above.

**As to claim 8, Doty teaches:**

A video browsing method for a distribution server configured to store and distribute content including video data and slide data reproduced in synchronization with the video data (e.g., server 14 linked with system 10 in Fig. 1 or items 310-340 as shown in Fig. 22; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015], [0151]), the method comprising:

managing, for each of the content, a permission for browsing the content and a permission for editing of the content (e.g., see Figs. 5, 22 and [0129], [0133]);

distributing the content in accordance with an access of the browsing client of a user having the permission for browsing the content (e.g., see item 18 shown in Fig. 2 and [0133]; note that a student portal 18 allows a student to take classes);

allowing for editing the content of at least one of the video data and the slide data in accordance with an access of a provider of the content having the permission for editing the content (note that administrative portal 22 allows instructors and administrators to easily deploy, maintain and update courseware, see e.g., [0129], [0133] and Figs. 2, 5, 22);

Doty further teaches entering notes using the browsing client during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

providing the stored notational data in accordance with a request from a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

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Doty does not expressly teach storing notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation for the same reasons as discussed with respect to claim 1 above.

**As to claim 9, Doty teaches:**

A video browsing system (e.g., a network based educational system, see [009]) comprising:

a distribution server configured to store and distribute content including video data and slide data reproduced in synchronization with the video data (e.g., server 14 linked with system 10 in Fig. 1 or items 310-340 as shown in Fig. 22; note that slide data reproduced in synchronization with the video data, see e.g., Fig. 3 and [0015], [0151]);

a browsing client configured to receive the content, to reproduce and display the video data on a screen thereof, and to synchronously display the slide data (e.g., see Fig. 15; note that the video and slide data are synchronously displayed on a user's browser window, see [0176]); and

a provider client belonging to a content provider and having a permission for editing of the content (e.g., see Fig. 6-9 and [0082]),

Doty further teaches that the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the slide data displayed on the screen, in association with the user and the slide data); and

wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

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Doty does not expressly teach a storing unit configured to store notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation for the same reasons as discussed with respect to claim 1 above.

**As to claim 2**, Doty further teaches comprising an administrator client having a permission of an administrator, wherein the manage unit sets the permission for browsing and the permission for editing in accordance with an access of the administrator client (e.g., see Fig. 2 and [0167]).

### **Response to Arguments**

7. Applicant's arguments with respect to claims 1, 2, 3-9 have been considered but are moot in view of the new ground(s) of rejection.

- ◆ Applicant's argument regarding the feature of "computer-storage medium" has been considered and is persuasive; therefore the previous objection is withdrawn.

- ◆ Applicant's argument the prior art of Doty fails to teach the feature of a "distribution server comprises a storing unit configured to store notational data, which the user has entered into the browsing client in accordance with the slide data displayed on the screen, in association with the user and the slide data" (e.g., see Applicant's remark page 8, Para 4; page 9, Para 4).

The Examiner respectfully submits that the prior art of Doty teaches that:

- the browsing client configured to allow a user to enter notes during the time the material is being presented (e.g., see [0143]; note that it would have been obvious to one skill in the art to realize that the notes is in accordance with the

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slide data displayed on the screen, in association with the user and the slide data); and

- wherein the distribution server provides the notational data to the browsing client in accordance with a request from the browsing client of a user (e.g., notes link 96 allows a user to review the notes at any time, see e.g., [0143] and Fig. 15);

The Examiner then admits that the prior art of Doty does not expressly teach that the distribution server further comprises a storing unit configured to store notational data. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement this limitation because Doty suggests to the skill artisan that the classroom interface is typically adapted to provide synchronous application and a user information module configured to provide real time recording data (e.g., see [0143] lines 1-7), the browsing client comprising a notes feature that allows a user/learner to make notes as the material is being presented and they can review the notes at any time from the student portal (e.g., see item 96 shown in Fig. 15 and [0143]), and a course data is only visible to a user/group if it is assigned to the user/group (e.g., see [0129]). The motivation to implement this limitation is to synchronize the notational data with the course data and thus to provide streaming video synchronized with user interactive applications to enhance the total educational experience for a student/learner/user (e.g., see [0003]).

### **Conclusion**

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

*It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way.*

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*A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T  
8/27/2007

Lien Tran  
Examiner  
Art Unit 2179

BA HUYNH  
PRIMARY EXAMINER